

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

Marc Wexler

Claimant(s)

vs.

First Montauk Securities and
Steven Winters

Respondent(s)

NOTICE OF ARBITRATION
AWARD
88-02524

CASE SUMMARY

Claimant Marc Wexler alleged that Respondent First Montauk Securities and Steven Winters failed to execute Claimants trade order on a timely basis. Respondents denies allegations.

RELIEF REQUESTED

Claimant Marc Wexler requested damages of Four Thousand, Four Hundred, Nineteen Dollars and Thirty Eight Cents (\$4,419.38). Respondent First Montauk cross claims Steven Winters for any liabilities arising out of this proceeding. Respondents requested dismissal of claim and costs.

AWARD

Pursuant to Section 13 of the NASD, Inc. Code of Arbitration Procedure ("Simplified Arbitration") a single arbitrator, Arnold O. Flicker, Esq., was selected to review and determine the matter in controversy between the parties set forth in submissions to Arbitration signed by the Claimant on August 3, 1988 and by Respondents on December 15, 1988. The Arbitrator, having considered the proofs of the parties, has determined in full and final resolution of the issue submitted for determination as follows:

The claim against Respondent shall be dismissed in its entirety.

The parties shall each bear their respective costs including attorney's fees.

The \$100.00 filing fee previously deposited with the NASD, Inc. by the Claimant shall be retained by the NASD as costs of this proceeding.

September 20, 1989